

Existing Law and CPUC
Regulations regarding Utility
Operation, Reliability, and Safety
During Emergencies and
Disasters

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CPUC GENERAL ORDER 166

- Purpose: setting Standards for Operation, Reliability, and Safety During Emergencies and Disasters
- Summary (of original General Order)
- Definitions
- Standard 1. Emergency Response Plan
- Standard 2. Mutual Assistance Agreement(s)
- Standard 3. Emergency Training and Exercises
- Standard 4. Communications Strategy
- Standard 5. Activation Standard
- Standard 6. Initial Notification Standard
- Standard 7. Mutual Assistance Evaluation Standard
- Standard 8. Major Outage and Restoration Estimate Communication Standard
- Standard 9. Personnel Redeployment Planning Standard
- Standard 10. Annual Pre-Event Coordination Standard
- Standard 11. Annual Report

Applicability

This General Order applies to all electric utilities subject to the jurisdiction of the CPUC with regard to matters relating to electric service reliability and/or safety.

Purpose

The purpose of these standards is to insure that jurisdictional electric utilities are prepared for emergencies and disasters in order to minimize damage and inconvenience to the public which may occur as a result of electric system failures, major outages, or hazards posed by damage to electric distribution facilities. The standards will facilitate the Commission's investigations into the reasonableness of the utility's response to emergencies and major outages. Such investigations will be conducted following every major outage, pursuant to and consistent with Public Utilities Code Section 364(c) and Commission policy.

NOTE: Throughout this presentation highlighting is for convenience and discussion purposes only and has no legal significance!

History

Legislative response to massive winter storms that left customers without power for extended periods of time; followed by CPUC investigation and statewide rulemaking. Workshops (over about a two year period) resulted in consensus proposals that were adopted as General Order 166.

- Amended in 2000 (D.00-05-022) adding two new standards for major outages
 - restoration performance benchmark Standard 12.
 - call center performance benchmark Standard 13.
- Amended Standard 1 in 2012 (D.12-01-032) to require inclusion of Fire Prevention Plans [measures the electric utility intends to implement, both in the short run and in the long run, to mitigate the threat of power-line fire ignitions]

Summary (original version of GO 166)

The rules adopted in GO 166 required each jurisdictional electric utility to:

1. Prepare an emergency response plan and update the plan annually.
2. Enter into mutual assistance agreements with other utilities.
3. Conduct annual emergency training and exercises using the utilities emergency response plan.
4. Develop a strategy for informing the public and relevant agencies of a major outage.
5. Coordinate internal activities during a major outage in a timely manner.
6. Notify relevant individuals and agencies of an emergency or major outage in a timely manner.
7. Evaluate the need for mutual assistance during a major outage.
8. Inform the public and relevant public safety agencies of the estimated time for restoring power during a major outage.
9. Train additional personnel to assist with emergency activities..
10. Coordinate emergency plans with state and local public safety agencies.
11. Submit an annual report describing compliance with these standards.

Definitions

Accessible: A condition which permits safe and legal access.

Appropriate Regulatory Authority: The agency or governmental body responsible for regulation or governance of the utility.

Critical Customers: Customers requiring electric service for life sustaining equipment.

Emergency or Disaster: An event which is the proximate cause of a major outage, including but not limited to storms, lightning strikes, fires, floods, hurricanes, volcanic activity, landslides, earthquakes, windstorms, tidal waves, terrorist attacks, riots, civil disobedience, wars, chemical spills, explosions, and airplane or train wrecks.

Essential Customers: Customers requiring electric service to provide essential public health and safety services.

Major Outage: Consistent with Public Utilities Code Section 364, a major outage occurs when 10 percent of the electric utility's serviceable customers experience a simultaneous, non-momentary interruption of service. For utilities with less than 150,000 customers within California, a major outage occurs when 50 percent of the electric utility's serviceable customers experience a simultaneous, non-momentary interruption of service.

Safety Standby: Interim activities undertaken to mitigate immediate public safety hazards.

Serviceable Customer: A customer prepared and properly equipped to receive service where both the customer's electrical service facilities and those facilities of the utility necessary to serve the customer can be legally and physically accessed in a safe manner.

(added in 2000) **Measured Event:** A Measured Event is a Major Outage (as defined herein), resulting from non-earthquake, weather-related causes, affecting between 10% (simultaneous) and 40% (cumulative) of a utility's electric customer base. A Measured Event is deemed to begin at 12:00 a.m. on the day when more than one percent (simultaneous) of the utility's electric customers experience sustained interruptions. A Measured Event is deemed to end when fewer than one percent (simultaneous) of the utility's customers experience sustained interruptions in two consecutive 24-hour periods (12:00 a.m. to 11:59 p.m.); and the end of the Measured Event in 11:59 p.m. of that 48-hour period.

Standard 1 (the Emergency Response Plan)

- A. Internal Coordination:** The plan shall describe the utility's internal coordination function, including how the utility will gather, process, and disseminate information within the service area, set priorities, allocate resources and coordinate activities to restore service. The utility will coordinate internal activities in an emergency operations center or use some other arrangement suitable for the purposes of internal coordination.
- B. ISO/TO Coordination:** The plan shall provide for utility coordination with the ISO, including gathering, processing and disseminating information from the ISO, and providing information regarding how the utility will establish priorities and estimates of service restoration. A utility that does not deal directly with the ISO shall describe how it will coordinate its efforts with the TO.
- C. Media Coordination:** The plan shall address the utility's provision of timely and complete information available to the media before, during and immediately after a major outage. Such information shall include estimated restoration times and a description of potential safety hazards if they exist.
- D. External and Government Coordination :** The plan shall address the utility's efforts to coordinate emergency activities with appropriate state and local government agencies. The utility shall maintain lists of contacts at each agency which shall be included in the plan and readily accessible to employees responsible for coordinating emergency communications. The utilities may address the use by governmental agencies of California's Standardized Emergency Management System (SEMS).
- E. Safety Considerations:** The plan shall describe how the utility will assure the safety of the public and utility employees and the utility's procedures for safety standby. The plan shall include contingency measures regarding the resources required to respond to an increased number of reports concerning unsafe conditions.
- F. Damage Assessment:** The plan shall describe the process for assessing damage and, where appropriate, the use of contingency resources required to expedite a response to the emergency. The plan will generally describe how the utility will set priorities, facilitate communication, and restore service.
- G. Restoration Priority Guidelines :** The plan shall include guidelines for setting priorities for service restoration. In general, the utility shall set priorities so that service is restored first to critical and essential customers, and so that the largest number of customers receive service in the shortest amount of time.
- H. Mutual Assistance:** The plan shall describe how the utility intends to employ resources available pursuant to mutual assistance agreements for emergency response. Mutual assistance shall be requested when local resources are inadequate to assure timely restoration of service or public safety. Mutual assistance need not be requested if it would not substantially improve restoration times or mitigate safety hazards. The plan shall recognize the need to communicate mutual assistance activities with the State Office of Emergency Services, through the UOC/OES Utility Branch, during an emergency.
- I. Plan Update:** The plan shall be updated annually to incorporate changes in procedures, conditions, law or Commission policy. The utility shall submit plan updates as part of the annual report required by Standard 11.

Standard 2 – Mutual Assistance Agreement(s)

Or MAA for short

The utility shall enter into mutual assistance agreement(s), such as those facilitated by the California Utilities Emergency Association, to the extent that such agreements are practical and would improve emergency response. The utility shall submit the agreements annually to CPUC designated staff as part of the report required by Standard 11. The agreements shall include the following elements:

- A. Resources that are available to be shared.
- B. Procedures for requesting and providing assistance.
- C. Provisions for payment, cost recovery, liability and other financial arrangements.
- D. Activation and deactivation criteria.

Standard 3 – Training and Exercises

- A. The utility shall conduct an exercise annually using the procedures set forth in the utility's emergency plan. If the utility uses the plan during the twelve-month period in responding to an event or major outage, the utility is not required to conduct an exercise for that period.
- B. The utility shall annually evaluate its response to an exercise or major outage. The evaluation shall be provided to the CPUC as part of the report required by Standard 11.
- C. The utility shall annually train designated personnel in preparation for emergencies and major outages. The training shall be designed to overcome problems identified in the evaluations of responses to a major outage or exercise and shall reflect relevant changes to the plan.
- D. The utility shall provide no less than ten days notice of its annual exercise to appropriate state and local authorities, including the CPUC, state and regional offices of the OES or its successor, the California Energy Commission, and emergency offices of the counties in which the exercise is to be performed. The utility shall participate in other emergency exercises designed to address problems on electric distribution facilities or services, including those emergency exercises of the state and regional offices of the OES or its successor, and county emergency offices.

Standard 4 Communications Strategy

The utility shall develop and maintain a written strategy for how it will communicate with the public before, during and immediately following major outages and emergencies as follows:

A. Customer Communications - Media & Call Center

The communications strategy shall describe how the utility will provide information to customers by way of its call center and other communications media before, during and immediately following a major outage. The strategy shall anticipate the use of radio, television....

B. Government

The communications strategy shall include pre-event coordination with appropriate state and local government agencies, including the appropriate methods for information exchange, to enhance communications activities during and immediately following a Major Outage.

C. Independent System Operator/Transmission Owner

The communications strategy will describe how the utility will coordinate its communications with the ISO and/or the TO. The utility shall cooperate with the ISO/TO to coordinate the information provided to customers, media, and governmental agencies when the operation of the transmission system affects customer service.

Standard 5 Activation

Within one hour of the identification of a major outage, the utility shall begin coordinating its internal resources as set forth in its emergency plan.

Standard 6 Initial Notification

Within one hour of the identification of a major outage or other newsworthy event, the utility shall notify the Commission and Warning Center at the Office of Emergency Services of the location, possible cause and expected duration of the outage. The Warning Center at the OES is expected to notify other state and local agencies of the outage. Subsequent contacts between state and local agencies and the utility shall be conducted between personnel identified in advance, as set forth in Standard 4.B. From time to time the Commission staff may issue instructions or guidelines regarding reporting.

Standard 7 Mutual Assistance Evaluation

No later than 4 hours after the onset of a major outage, the utility shall begin the process of evaluating and documenting the need for mutual assistance. The utility is not required to seek assistance if it would not substantially expedite restoration of electric service or promote public safety. The utility should reevaluate the need for assistance throughout the period of the outage.

Standard 8 - Major Outage and Restoration Estimate Communication

A. Within 4 hours of the identification of a major outage, the utility shall make information available to customers through its call center and notify the media of the major outage, its location, expected duration and cause. The utility shall provide estimates of restoration times as soon as possible following an initial assessment of damage and the establishment of priorities for service restoration.

B. Within 4 hours of the initial damage assessment and the establishment of priorities for restoring service, the utility shall make available through its call center and to the media the estimated service restoration times by geographic area. If the utility is unable to estimate a restoration time for a certain area, the utility shall so state.

Standard 9 Personnel Redeployment Planning

The utility shall maintain a training and redeployment plan for performing safety standby activities and assessing damage during a major outage. The utility should plan to have personnel available to augment the number of employees whose duties include safety standby and damage assessment activities. The utility shall identify and train additional employees to perform safety standby activities and assess damage during emergencies requiring such activities and major outages, and in lieu of their normal duties.

Standard 10 Annual Pre-Event Coordination

The utility shall annually coordinate emergency preparations with appropriate state, county and local agencies and the ISO/TO. As part of such activities, the utility shall establish and confirm contacts and communication channels, plan the exchange of emergency planning and response information, and participate in emergency exercises or training.

Standard 11 Annual Report

The utility shall annually report to the CPUC and other appropriate governmental agencies by October 31 regarding its compliance with this general order for the previous twelve months ending June 30. The annual report shall identify and describe any modifications to the utility's emergency plan.

Further, the utility shall report on the number of repair and maintenance personnel in each personnel classification in each county (and total throughout the company), as of June 30 of the current and previous year.

Standard 12 (added in 2000) Restoration Performance Benchmark For A Measured Event

The Commission shall perform a review of utility performance following every Major Outage. This standard sets a benchmark for the Commission to use in reviewing utility restoration performance only during Measured Events.

A. Benchmark

A utility's restoration performance during a Measure Event shall be presumed reasonable if the CAIDI is 570 or below, and presumed unreasonable if the CAIDI is above 570. These presumptions are rebuttable.

B. CAIDI Calculation

CAIDI stands for Customer Average Interruption Duration Index and is computed using the following equation:

$$\text{total customer minutes of interruption} / \text{total number of customer interruptions}$$

If a single customer experiences more than one sustained interruption during a Measured Event, each interruption shall count as a separate customer interruption. CAIDI shall be measured from the beginning of the Measured Event and shall continue until all customers experiencing interruptions during the Measured Event have been restored.

C. Transmission Outages

Customer minutes of interruption caused by outages of Transmission Facilities owned by the utility during a Measured Event are included in the calculation of CAIDI for purposes of this standard.

Customer minutes of interruption attributable to utility compliance with ISO directives, including its protocols, tariffs, transmission agreements or other written or verbal instructions specific to the event, which prevent the utility from restoring service it is otherwise able to provide shall be excluded in the calculation of CAIDI for purposes of this standard.

D. Exemption

Utilities with fewer than 150,000 electric customers are exempted from application of this standard.

Standard 13 (added in 2000)

Call Center Benchmark For A Measured Event

The Commission shall perform a review of utility performance following every Major Outage. This standard sets a benchmark for the Commission to use in reviewing utility call center performance only during Measured Events.

A. Benchmark

A utility's call center performance during a Measured Event shall be presumed reasonable if the percent busies calculation is lower than Level-1, and presumed unreasonable if the percent busies calculation is greater than Level-2. These presumptions are rebuttable. Performance equal to or between Level-1 and Level-2 is subject to no presumption.

Level-1 is defined as 30% busies over the day of the outage (12:00 a.m. to 11:59 p.m.).

Level-2 is defined as 50% busies over the day of the outage (12:00 a.m. to 11:59 p.m.) plus at least 50% busies in each of six one-hour increments (these increments need not be consecutive).

B. Percent Busies Calculation

Percent busies calculation measures the levels of busy signals encountered by customers at the utility's switch and that of its contractors. Mutual aid partners are not considered "contractors" for purposes of this standard, and busies encountered as a result of mutual aid assistance are not included in measurements to which this standard applies.

Percent busies indicator is measured on a 24-hour basis for outage-related calls (on energy outage and general call lines) from the time the Measured Event begins (12:00 a.m. to 11:59 p.m.), and separately for each 24-hour period until the Measured Event ends.

Either of the following methods for calculating percent busies is acceptable:

- Percent of call attempts reaching the utility which receive a busy signal
- Percent of time that trunk line capacity is exhausted.

C. Exemption Utilities with fewer than 150,000 electric customers are exempted from application of this standard.

Additional Updates

In 2012, New Section E is added to Standard 1:

- E. Fire Prevention Plan

Those electric utilities identified below shall have a Fire Prevention Plan that describes the measures the electric utility intends to implement, both in the short run and in the long run, to mitigate the threat of power-line fire ignitions in situations that meet all of the following criteria: (i) The force of 3-second wind gusts exceeds the maximum working stress specified in General Order 95, Section IV, for installed overhead electric facilities; (ii) the installed overhead electric facilities affected by these 3-second wind gusts are located in geographic areas designated as the first or second highest fire threat area on a fire-threat map adopted by the Commission in Rulemaking (R.) 08-11-005; and (iii) the 3-second wind gusts occur at the time and place of a Red Flag Warning issued by United States National Weather Service. The requirement to prepare a fire-prevention plan applies to: (1) Electric utilities in Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, and Ventura counties; and (2) electric utilities in all other counties with overhead electric facilities located in areas of high fire risk as determined by such utilities in accordance with Decision 12-01-032 issued in Phase 2 of R.08-11-005.

Since 2013:

- AB 1650 requirements apply (next slide) but have not been incorporated in a General Order yet

AB 1650 - Emergency and Disaster Preparedness

AB 1650 (which became law on 1/1/13 as Cal. Pub. Util. Code 768.6) imposes certain obligations on electric (and some water) utilities in respect of disaster and emergency preparedness plans. [SDG&E notes that it fully meets these requirements although the CPUC has not incorporated them into General Order 166]. AB1650 adopted the following:

Requires the CPUC to establish standards for disaster and emergency preparedness plans within an existing proceeding, including, but not limited to, use of weather reports to preposition manpower and equipment before anticipated severe weather, methods of improving communications between governmental agencies and the public, and methods of working to control and mitigate an emergency or disaster and its after effects.

AB 1650 (continued)

- In developing the plan, the electrical corporation must invite appropriate representatives of every city, county, or city and county within the service area to meet with, and provide consultation to, the electrical corporation. The meeting must be noticed and conducted in a public meeting that allows for the participation of appropriate representatives of counties and cities within the electrical corporation's service area. A county participating in a meeting may inform each city within the county of the time and place of the meeting. An electrical corporation holding a meeting shall provide participating counties and cities with the opportunity to provide written and verbal input regarding the corporation's emergency and disaster preparedness plan. For purposes of this public meeting, an electrical corporation may convene a closed meeting with representatives from every city, county, or city and county within that electrical corporation's service area to discuss sensitive security-related information in the electrical corporation's emergency and disaster preparedness plan and to solicit comment. The utility must notify the commission of the date, time, and location of this meeting. The meeting must occur no later than April 1, 2013, and every two years thereafter. An electrical corporation must memorialize the meeting and submit its records of the meeting to the commission. This meeting requirement can be fulfilled "by making a presentation regarding its emergency and disaster preparedness plan at a regularly scheduled public meeting of each disaster council created under Government Code Section 8610 et seq or at a regularly scheduled public meeting of the governing body of each city, county, or city and county.
- The bill authorizes those agencies to designate a point of contact for the electrical corporation to consult with on emergency and disaster preparedness plans and requires the electrical corporation to provide the point of contact with an opportunity to comment on draft emergency and disaster preparedness plans.

AB 1650 (continued)

- The bill requires electrical corporations to develop, adopt, and update an emergency and disaster preparedness plan in compliance with the standards established by the CPUC.
- An emergency and disaster preparedness plan must address recent emergencies and disasters associated with the electrical corporation or similarly situated corporations, and address remedial actions for possible emergencies or disasters that may involve that corporation's provision of service.
- Every two years, in order to update and improve that electrical corporation's emergency and disaster preparedness plan, the electrical corporation must invite appropriate representatives of every city, county, or city and county within that electrical corporation's service area to meet with, and provide consultation to, the electrical corporation.
- This bill also requires water companies regulated by the CPUC to adopt emergency and disaster preparedness plans.

Discussion...

- Any questions? Or all perfectly clear??